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9 **BEFORE THE**
BOARD OF REGISTERED NURSING
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2000-289

13 **VERETTA LYNN BRITT**
1135 Citrus Street
14 Bullhead City, AZ 86442

A C C U S A T I O N

15 Registered Nurse License No. 636608

16 Respondent.
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18 Complainant alleges:

19 **PARTIES**

20 1. Ruth Ann Terry, M.P.H., R.N. ("Complainant") brings this Accusation
21 solely in her official capacity as the Executive Officer of the Board of Registered Nursing
22 ("Board"), Department of Consumer Affairs.

23 2. On or about April 24, 2004, the Board issued Registered Nurse License
24 Number 636608 to Veretta Lynn Britt ("Respondent"). The registered nurse license will expire on
25 March 31, 2008, unless renewed.

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1 (a) Obtain or possess in violation of law, or prescribe, or except as
2 directed by a licensed physician and surgeon, dentist, or podiatrist administer to
3 himself or herself, or furnish or administer to another, any controlled substance as
defined in Division 10 (commencing with Section 11000) of the Health and Safety
Code or any dangerous drug or dangerous device as defined in Section 4022.

4 (e) Falsify, or make grossly incorrect, grossly inconsistent, or
5 unintelligible entries in any hospital, patient, or other record pertaining to the
substances described in subdivision (a) of this section.

6 8. Health and Safety Code section 11173, subdivision (a), provides:

7 No person shall obtain or attempt to obtain controlled substances, or
8 procure or attempt to procure the administration of or prescription for controlled
substances, (1) by fraud, deceit, misrepresentation, or subterfuge; or (2) by the
concealment of a material fact.

9
10 9. Code section 4060 provides, in pertinent part,

11 No person shall possess any controlled substance, except that furnished to a
12 person upon the prescription of a physician, dentist, podiatrist, optometrist,
13 veterinarian, or naturopathic doctor pursuant to Section 3640.7, or furnished
pursuant to a drug order issued by a certified nurse-midwife pursuant to Section
14 2746.51, a nurse practitioner pursuant to Section 2836.1, a physician assistant
pursuant to Section 3502.1, a naturopathic doctor pursuant to Section 3640.5, or a
15 pharmacist pursuant to either subparagraph (D) of paragraph (4) of, or clause (iv)
of subparagraph (A) of paragraph (5) of, subdivision (a) of Section 4052.

16 COST RECOVERY

17 10. Code section 125.3 provides, in pertinent part, that the Board may request
18 the administrative law judge to direct a licensee found to have committed a violation or
19 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
20 and enforcement of the case.

21 **TERMINATION FROM ARIZONA DIVERSION PROGRAM**

22 11. On or about June 13, 2007, Respondent entered into a Chemically Addicted
23 Nurses Diversion Option Stipulated Agreement with the Arizona State Board of Nursing
24 ("Diversion Program"). In violation of the Diversion Program, Respondent failed to submit to
25 random urine drug screens on or about August 17, 2007, September 4, 2007, September 18, 2007,
26 September 26, 2007, and October 9, 2007; failed to submit documentation that she had entered
27 into an intensive outpatient treatment program; and failed to submit self-reports or AA attendance
28 reports for the period July 2007 through October 2007, as required by the Diversion Program.

1 Effective October 10, 2007, Respondent was terminated from the Diversion Program for failure to
2 comply with the rehabilitation plan.

3 12. **DRUG**

4 "Demerol," a brand of meperidine hydrochloride, a derivative of pethidine, is a
5 Schedule II controlled substance as designated by Health and Safety Code section 11055,
6 subdivision (c)(17), and is a dangerous drug within the meaning of Code section 4022, in that
7 under federal law it requires a prescription.

8 "Dilaudid," a brand of hydromorphone, is a Schedule II controlled substance as
9 designated by Health and Safety Code section 11055(b)(1)(K), and is a dangerous drug within the
10 meaning of Code section 4022, in that under federal law it requires a prescription.

11 **FIRST CAUSE FOR DISCIPLINE**

12 (Out-of-State Discipline)

13 13. Respondent's registered nurse license is subject to disciplinary action under
14 Code section 2761, subdivision (a)(4), on the grounds of unprofessional conduct, in that on or
15 about December 18, 2007, pursuant to the Consent for Entry of Voluntary Surrender, Order
16 No. 0710019, *In the Matter of Professional Nurse License No. RN112061 Issued to: Veretta Lynn*
17 *Britt* (attached hereto as **Exhibit A**), the Arizona State Board of Nursing accepted the voluntary
18 surrender of Respondent's Arizona Professional Nurse License, No. RN112061. The basis for
19 said discipline is that in or around May 2007, while working as a licensed nurse at Valley View
20 Hospital in Arizona, Respondent withdrew Dilaudid and Demerol from the MedSelect system,
21 and then failed to account for all of the Dilaudid and Demerol she had withdrawn in any patient or
22 hospital record.

23 **SECOND CAUSE FOR DISCIPLINE**

24 (Obtain and Possess a Controlled Substance in Violation of Law, and Self-Administer)

25 14. Respondent's registered nurse license is subject to disciplinary action under
26 Code section 2761, subdivision (a), on the grounds of unprofessional conduct as defined in Code
27 section 2762, subdivision (a), in that in or around May 2007, while working as a licensed nurse at
28 Valley View Hospital in Arizona, Respondent did the following:

1 a. Respondent obtained Dilaudid and Demerol, controlled substances, by
2 fraud, deceit, misrepresentation or subterfuge, in violation of Health and Safety Code section
3 11173(a), by taking the drugs from hospital supplies.

4 b. Respondent possessed Dilaudid and Demerol, controlled substances, in
5 violation of Code section 4060.

6 c. Respondent self-administered Dilaudid and Demerol, controlled
7 substances, without direction from a licensed physician, surgeon, dentist or podiatrist.

8 **THIRD CAUSE FOR DISCIPLINE**

9 (Grossly Inconsistent or Unintelligible Entries in Hospital or Patient Records)

10 15. Respondent's registered nurse license is subject to disciplinary action under
11 Code section 2761, subdivision (a), on the grounds of unprofessional conduct as defined in Code
12 section 2762, subdivision (e), in that, in or around May 2007, while working at Valley View
13 Hospital Medical Center, Respondent made grossly incorrect, grossly inconsistent or
14 unintelligible entries in hospital or patient records when she signed out Dilaudid and Demerol
15 from the MedSelect system, then failed to account for the disposition of all of the drugs in any
16 patient or hospital record.

17 **PRAYER**

18 **WHEREFORE**, Complainant requests that a hearing be held on the matters herein
19 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

20 1. Revoking or suspending Registered Nurse License Number 636608, issued
21 to Veretta Lynn Britt;

22 2. Ordering Veretta Lynn Britt to pay the Board of Registered Nursing the
23 reasonable costs of the investigation and enforcement of this case, pursuant to Code section 125.3;
24 and,

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1 3. Taking such other and further action as deemed necessary and proper.

2 DATED: 4/20/08

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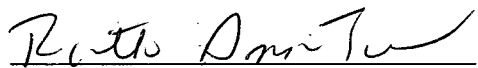
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RUTH ANN TERRY, M.P.H., R.N.
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

03579110-SA2008100254

Britt.Acc.wpd

baf [3/13/08]

EXHIBIT A

**Arizona State Board of Nursing
Consent for Entry of Voluntary Surrender, Order No. 0710019**

Janet Napolitano
Governor



Joey Ridenour
Executive Director

Arizona State Board of Nursing

4747 North 7th Street, Suite 200
Phoenix AZ 85014-3653
Phone (602) 889-5150 Fax (602) 889-5155
E-Mail: arizona@azbn.org
Home Page: <http://www.azbn.org>

TO: California Board of Registered Nursing
P. O. Box 944210
Sacramento, Arizona 94244-2100

DATE: December 19, 2007

FROM: Joey Ridenour, R.N., M.N., F.A.A.N., Executive Director
Arizona State Board of Nursing

SUBJECT: VERETTA LYNN BRITT
Disciplinary Action by Arizona State Board of Nursing

This is to advise you that the above named nurse was disciplined by the Arizona State Board of Nursing effective December 18, 2007. The disciplinary action given was a **VOLUNTARY SURRENDER**.

Enclosure:

Janet Napolitano
Governor



Joey Ridenour
Executive Director

Arizona State Board of Nursing

4747 North 7th Street, Suite 200
Phoenix AZ 85014-3653
Phone (602) 889-5150 Fax (602) 889-5155
E-Mail: arizona@azbn.org
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AFFIDAVIT OF CUSTODIAN OF RECORDS

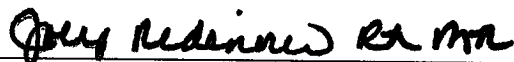
STATE OF ARIZONA

COUNTY OF MARICOPA

I, Joey Ridenour, Executive Director for the Arizona State Board of Nursing, County of Maricopa, State of Arizona, do hereby certify that I am the officer having the legal custody for the records hereto attached in the office of the Arizona State Board of Nursing, County of Maricopa, State of Arizona, a public office of said State. The attached copies are true copies of the records on **VERETTA LYNN BRITT**. Personnel of the Arizona State Board of Nursing prepared the records during the ordinary course of business.

Witness my hand and the seal of the Arizona State Board of Nursing at 4747 North 7th Street, Suite 200, Phoenix, Arizona 85020 on December 19, 2007.

SEAL


Joey Ridenour, R.N., M.N., F.A.A.N.
Executive Director

ARIZONA STATE BOARD OF NURSING
4747 North 7th Street, Suite 200
Phoenix, Arizona 85014-3653
602-889-5150

IN THE MATTER OF PROFESSIONAL
NURSE LICENSE NO. RN112061
ISSUED TO:

VERETTA LYNN BRITT
RESPONDENT

**CONSENT FOR ENTRY OF
VOLUNTARY SURRENDER
ORDER NO. 0710019**

A complaint charging Veretta Lynn Britt ("Respondent") with violation of the Nurse Practice Act has been received by the Arizona State Board of Nursing ("Board"). In the interest of a prompt and speedy settlement of the above-captioned matter, consistent with the public interest, statutory requirements, and the responsibilities of the Board, and pursuant to A.R.S. §2-1663 (D)(5), Respondent voluntarily surrenders her license for a minimum of five years.

Based on the evidence before it, the Board makes the following Findings of Fact, Conclusions of Law:

FINDINGS OF FACT

1. Respondent holds Board issued professional nurse license no. RN112061.
2. On or about May 22, 2007, a telephonic complaint was received from Dana Rice, Chief Nursing Officer of Valley View Hospital that following an investigation of a narcotic discrepancy Respondent admitted to diverting narcotics for her personal use. Subsequently, the Board received a letter from Ms. Rice, dated May 22, 2007, stating that a MedSelect usage report revealed that Respondent removed a number of doses of Dilaudid and Demerol, some of which were for patients not assigned to Respondent. Respondent admitted to taking the drugs and using them while on duty. Respondent also admitted to having a drug abuse problem in the past.

3. On or about June 13, 2007, Respondent met with Board staff. She admitted diverting Demerol and Dilaudid for her personal use. She stated her addiction began in February 2003 after being prescribed Percocet for dental work. She admitted to diverting medications for her personal use while on travel assignments in Modesto and Bakersfield, California. She stated that following her Bakersfield assignment she stayed clean for periods of time, but relapsed at Valley View Medical Center where she diverted Dilaudid and Demerol, and used it intravenously several times a day at work and at home.

4. On or about June 13, 2007, Respondent signed a Chemically Addicted Nurses Diversion Option (CANDO) Stipulated Agreement, which in part, required her to attend a chemical dependency treatment program, enroll in a drug screening program and submit to required monthly random drug screens, attend two AA meetings a week and a weekly nurse support group or three AA meetings if a nurse support group is not available within 40 miles of her home, abstain from the use of alcohol and narcotics, attend aftercare, abstain from unauthorized drug use, notify CANDO of any prescription received, and refrain from working as a nurse until approved by the CANDO consultant and upon return to nursing practice abide by standard nursing practice restrictions which included no access to or administration of narcotics for 12 months.

5. Respondent failed to submit random urine drug screens on or about August 17, 2007, September 4, 2007, September 18, 2007, September 26, 2007 and October 9, 2007 in violation of her CANDO Stipulated Agreement.

6. Respondent failed to submit documentation of entry into an intensive outpatient treatment program in violation of her CANDO Stipulated Agreement.

7. Respondent failed to submit a self report or AA attendance report for the reporting period July/August 2007 or September/October 2007 as required by her CANDO Stipulated Agreement.

8 Phone messages left on Respondent's cell phone and home phone following missed drug screens on or about August and September 2007 were not returned.

9. On or about October 10, 2007, Respondent was discharged from CANDO for non-compliance with her CANDO Stipulated Agreement.

10. On or about December 10, 2007, Respondent requested to voluntary surrender her license.

CONCLUSIONS OF LAW

Pursuant to A.R.S. §§ 32-1606, 32-1663, and 32-1664, the Board has subject matter and personal jurisdiction in this matter.

The conduct and circumstances described in the Findings of Fact constitute a violation of A.R.S. § 32-1601(d), (g), (h), (i), (j), and A.A.C. R4-19-403(B), (1), (16), (17), (18) and (31).

The conduct and circumstances described in the Findings of Fact constitute sufficient cause pursuant to A.R.S. §§ 32-1663(D)(5) 32-1664(N) to take disciplinary action against Respondent's license to practice as a professional nurse in the State of Arizona.

Respondent admits the Board's Findings of Fact, Conclusions of Law.

Respondent understands that she has an opportunity to request a hearing and declines to do so. Respondent agrees to issuance of the attached Order and waives all rights to a hearing, rehearing, appeal, or judicial review relating to this Order.

Respondent understands that all investigative materials prepared or received by the Board concerning these violations and all notices and pleadings relating thereto may be retained in the Board's file concerning this matter.

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Respondent understands that the admissions in the Findings of Fact are conclusive evidence of a violation of the Nurse Practice Act and may be used for purposes of determining sanctions in any future disciplinary matter.

Respondent understands the right to consult legal counsel prior to entering into the Consent Agreement and such consultation has either been obtained or is waived.

Respondent understands that this voluntary surrender is effective upon its acceptance by the Executive Director or the Board and by Respondent as evidenced by the respective signatures thereto. Respondent's signature obtained via facsimile shall have the same effect as an original signature. Once signed by the Respondent, the agreement cannot be withdrawn without the Executive Director or the Board's approval or by stipulation between the Respondent and the Executive Director or the Board. The effective date of this Order is the date the Voluntary Surrender is signed by the Executive Director or the Board and by Respondent. If the Voluntary Surrender is signed on a different date, the later date is the effective date.

Respondent understands that Voluntary Surrender constitutes disciplinary action. Respondent also understands that she may not reapply for reinstatement during the period of Voluntary Surrender.

Respondent agrees that she may apply for reinstatement after the period of voluntary surrender under the following conditions, and must comply with current law at the time of their application for reinstatement:

The application for reinstatement must be in writing and shall contain therein or have attached thereto substantial evidence that the basis for the voluntary surrender has been removed and that the reinstatement of the license does not constitute a threat to the public's health, safety and welfare. The

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Board may require physical, psychological, or psychiatric evaluations, reports and affidavits regarding the Respondent as it deems necessary. These conditions shall be met before the application for reinstatement is considered.

Veretta Britt

Respondent

Date: 12/13/07

07 DEC 17 AM 9:50

ARIZONA STATE BOARD OF NURSING

SEAL

Joey Ridenour

Joey Ridenour, R.N., M.N., F.A.A.N.
Executive Director

Dated: 12/18/07

CONSULTANT NAME/LICENSE NUMBER LAST NAME

ORDER

Pursuant to A.R.S. § 32-1663 (D)(5) the Board hereby accepts the Voluntary Surrender of professional nurse license number RN112061, issued to Veretta Lynn Britt. This Order of Voluntary Surrender hereby entered shall be filed with the Board and shall be made public upon the effective date of this Consent Agreement. Respondent shall not practice in Arizona under the privilege of a multistate license.


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IT IS FURTHER ORDERED that Respondent may apply for reinstatement of said license after a period of five years.

SEAL

ARIZONA STATE BOARD OF NURSING



Joey Ridenour, R.N., M.N., F.A.A.N.
Executive Director

Dated: 12/18/07

JR/CL:oz

COPY mailed this 10th day of December 2007, by First Class Mail to:

Veretta Lynn Britt
1520 Opal Lane
Bullhead City, Arizona 86442

Signed in the Board Office this _____ day of _____, 2007.

By: Olga Zuniga
Administrative Secretary